

# Chapter 1 – Purpose and Authority

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## **101**    **TITLE**

These Regulations shall be known as the “Zoning Regulations, Town of North Stonington, Connecticut,” and are referred to herein as “these Regulations.”

## **102**    **AUTHORITY**

These Regulations have been promulgated by the North Stonington Planning and Zoning Commission, hereinafter referred to as the Commission, in accordance with and under the authority prescribed by Chapter 124 of the Connecticut General Statutes, as amended. The Town’s initial Zoning Regulations were adopted by the Commission on May 21, 1964.

## **103**    **PURPOSE**

These Regulations are adopted to further the goals and objectives of the Plan of Conservation and Development and to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; to preserve the character of the various parts of the Town; to conserve the value of buildings; to protect historic factors; to control soil erosion and sedimentation; to encourage energy efficient patterns of development, the use of solar and other renewable forms of energy, and energy conservation; and to encourage the most appropriate use of land throughout the Town of North Stonington. In addition, these Regulations are adopted to give consideration to the character of each area and its peculiar suitability for particular uses; conserve the value of buildings and encourage the most appropriate use of land throughout North Stonington; protect historic factors and resources; protect existing and potential public surface and ground drinking water supplies; provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of North Stonington and the planning region; and provide for housing choice and economic diversity in housing, including housing that will meet identified housing needs. Further, these regulations, and subsequent amendments thereto, are enacted to carry out the purposes set forth in Chapter 124, and particularly § 8-2, of the Connecticut General Statutes.

## **104**    **ZONING DISTRICTS AND OVERLAY DISTRICTS**

The Town of North Stonington is divided into the following principal Zoning Districts:

<b>(R40)</b>	<b>High Density Residential District</b>
<b>(R60)</b>	<b>Medium Density Residential District</b>
<b>(R80)</b>	<b>Rural Residential Preservation District</b>
<b>(C)</b>	<b>Commercial District</b>
<b>(HC)</b>	<b>Highway Commercial District</b>
<b>(ED)</b>	<b>Economic Development District</b>
<b>(I)</b>	<b>Industrial District</b>

In addition to the foregoing principal zoning districts, the following Overlay Zoning Districts have been established:

<b>(VPO)</b>	<b>Village Preservation Overlay District</b>
<b>(WSPO)</b>	<b>Water Supply Protection Overlay District</b>
<b>(SUO)</b>	<b>Seasonal Use Overlay District</b>
<b>(AHO)</b>	<b>Affordable Housing Overlay District: Meadow Court</b>

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## **105**    **ZONING MAP**

The boundaries of the various Zoning Districts are as shown on the “North Stonington, Connecticut, Zoning Map” which accompanies, and which, with all explanatory matters thereon, is a part of these Regulations. A copy of the Zoning Map, indicating the latest amendments, shall be kept up-to-date in the Land Use Office and the Office of the Town Clerk for the use and benefit of the public.

## **106**    **DISTRICT BOUNDARIES**

In determining the boundaries of Zoning Districts shown on the Zoning Map, the following rules shall apply.

**106.1**    Where district boundaries are indicated as approximately following the center lines of streets, highways, waterways or railroad rights-of-way or such lines extended, such center lines shall be construed to be the boundaries.

**106.2**    Where district boundaries are not indicated as approximately following the center lines of streets, highways, waterways or railroad rights-of-way or such lines extended, the boundaries shall be determined in accordance with the following rules:

- A.    where district boundaries are indicated as approximately following the property lines of parks or other publicly owned lands, such lines shall be construed to be such boundaries;
- B.    in all cases where a district boundary line is located not farther than 15 feet away from a lot line of record, such boundary line shall be construed to coincide with such lot line; and
- C.    in all other cases where dimensions are not shown on the map, the location of boundaries shown on the map shall be determined by the use of the scale appearing thereon.
- D.    When a district boundary cannot be determined using the methods described above, the Commission may use any reasonably available information to establish the location of the boundary.

**106.3**    **Lot Divided by District Boundary.** If a lot is divided by a district boundary, the bulk regulations for the district having the largest minimum lot area requirement shall be applicable to the entire lot. For example, if a lot is divided by the boundary between the R40 and R60 districts, the bulk regulations for the R60 district shall apply to the whole lot. The buffers required for any lot divided by a district boundary shall be determined in each part by the buffer requirements for the district in which that part is located. The uses allowed on any lot divided by a district boundary shall be determined in each part by the use regulations for the district in which that part is located. This provision, however, shall not be deemed, on its own, to allow multiple principal uses on a single lot. For example, if a single-family home is already located on a lot divided by the boundary between a residential and commercial district, no commercial use may be made of that portion of the lot lying in the commercial district.

## **107**    **PERMITS AND APPLICABILITY**

No building and/or portion of a building shall be erected, moved or structurally altered; nor shall any use be established or changed; nor shall any excavation be made for a proposed building or

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structure, until a Zoning Permit has been issued by the Zoning Enforcement Officer or the Commission indicating conformance:

- a. with these Regulations; or
- b. to a Site Plan or Special Permit approval granted by the Planning and Zoning Commission; or
- c. to a variance granted by the Zoning Board of Appeals.

### **108      CONSISTENCY WITH STATE AND FEDERAL LAW**

These Regulations are intended to comply with all applicable provisions of state and federal law. In particular, many of the procedural requirements set forth in these Regulations are based solely on state requirements that were in effect at the time of adoption. In the event that state or federal law is later modified or is determined by a court to be inconsistent with any provisions of these Regulations, it is the intention of the Commission that the relevant provisions shall be deemed superseded by the applicable requirements of state or federal law and that those requirements shall be applied as though they were expressly incorporated herein.

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